

ORDINANCE NO. 04-268

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 14.48 OF THE OS ALTOS MUNICIPAL CODE PERTAINING
TO PERMITTED AND CONDITIONALLY PERMITTED USES FOR THE
DOWNTOWN COMMERCIAL RETAIL SALES DISTRICT

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Section 14.48.030 is hereby replaced in its entirety with the following:

14.48.030 Permitted uses (CRS).

The following uses shall be permitted in the CRS District:

- A. Accessory structures and uses customarily incidental to a permitted use;
- B. Business, professional, and trade schools located above the ground floor;
- C. Hotels located above the ground floor;
- D. Offices located above the ground floor;
- E. Parking spaces and loading areas incidental to a permitted use;
- F. Personal grooming services, except when located in a ground floor building space that fronts directly on Main Street or State Street;
- G. Personal services, except when they displace a retail business that fronts directly on Main Street or State Street;
- H. Private clubs, lodges, or fraternal organizations located above the ground floor;
- I. Restaurants, excluding restaurants with take-out services when located on Main Street or State Street. Drive through restaurants are prohibited; and
- J. Retail.

A determination made by the city planner as to whether a use is permitted within the CRS zone may be appealed to the planning commission, and a decision made by the planning commission may be appealed to the city council. All appeals shall be made in writing within fifteen (15) days of the date of the action, and shall be accompanied by the appropriate fee as set forth by resolution of the city council. A decision made by the planning commission may be appealed if so requested by two city council members at the next regular meeting of the city council.

SECTION 2. AMENDMENT OF CODE: Section 14.48.040 is hereby deleted. All remaining Sections of Chapter 14.48 are to be renumbered sequentially.

SECTION 3. AMENDMENT OF CODE: Section 14.48.050, now renumbered as Section 14.48.040, is hereby replaced in its entirety with the following:

14.48.040 Conditional uses and structures (CRS).

Upon the granting of a use permit in accordance with the provisions of Chapter 14.80 of this title, the following uses shall be permitted in the CRS District, except when they displace a retail business that fronts directly on Main Street or State Street:

- A. Any single retail and/or service use exceeding three thousand five hundred (3,500) square feet;
- B. Any new building that has an area greater than seven thousand (7,000) gross square feet, and any addition to an existing building which would result in the total building area exceeding seven thousand (7,000) gross square feet, including additions to buildings which presently exceed seven thousand (7,000) gross square feet in area;

- C. Cocktail lounges;
- D. Commercial recreation establishments;
- E. Dance and music studios;
- F. Drop in day care centers;
- G. Farmers' markets;
- H. Hotels;
- I. Housing on the second floor,
- J. Interior-decorating shops;
- K. Laundry and dry cleaning establishments, including self-serve laundries and dry cleaning;
- L. Pet shops including grooming of small animals, provided such activities take place within an entirely enclosed building, and excluding the boarding of animals not offered for sale;
- M. Pool supply and service shops;
- N. Service stations provided the site has at least one hundred (100) feet of frontage on a street and a minimum site area of twenty thousand (20,000) square feet. The planning commission shall determine the setback of structures;
- O. Take-out services associated with a permitted uses, so long as any such take-out service located on Main Street or State Street is more than one hundred fifty (150) feet from another take-out service use located on Main Street or State Street as measured along the same side of the same street;
- P. Utility facilities essential to provision of utility services, but excluding construction or storage yards, maintenance facilities, or corporation yards;
- Q. Upholstery shops;
- R. Other uses which are determined by the planning commission to be of the same general character.

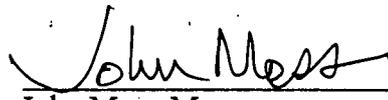
SECTION 4. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 5. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 6. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

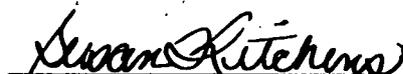
The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on September 28, 2004 and was thereafter, at a regular meeting held on October 12, 2004 passed and adopted by the following vote:

Ayes: COLE, CASAS, LEAR, MOSS
 Noes: NONE
 Absent: LEAR



 John Moss, Mayor

Attest:



 Susan Kitchens, City Clerk